

REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments. Claims 1-40 remain pending in the case. Claims 1-40 are rejected.

INFORMATION DISCLOSURE STATEMENT

Applicants thank Examiner for the indication that the Information Disclosure Statement filed on September 2, 2003 has not been considered as to the merits.

Applicants have refilled the Information Disclosure Statement in accordance with 37 CFR 1.97(c).

35 U.S.C. §102(e)

Claims 1-40 stand rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Application Publication No. 2004/0192352 by Vallstrom et al., hereinafter referred to as the "Vallstrom" reference. Applicants have reviewed the cited reference and respectfully submit that the embodiments of the present invention as recited in Claims 1-40 are not anticipated by Vallstrom in view of the following rationale.

Applicants respectfully direct the Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

A method for dynamic configuration of a mobile access point, said method comprising:
determining a position of said mobile access point based on a position determination system;

identifying a region based on said position; and
automatically updating configuration information associated with an
application of said mobile access point based on said region.

Independent Claims 11, 21 and 31 recite similar limitations. Claims 2-10 that depend from independent Claim 1, Claims 12-20 that depend from independent Claim 11, Claims 22-30 that depend from independent Claim 21, and Claims 32-40 that depend from independent Claim 31 provide further recitations of the features of the present invention.

According to the Federal Circuit, “[a]nticipation requires the disclosure in a single prior art reference of each claim under consideration” (*W.L. Gore & Assocs. v. Garlock Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983); see also MPEP 2131). However, it is not sufficient that the reference recite all the claimed elements. As stated by the Federal Circuit, the prior art reference must disclose each element of the claimed invention “arranged as in the claim” (emphasis added; *Lindermann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984); see also *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); see also MPEP 2131). In other words “[t]he identical invention must be shown in as complete detail as is contained in the ...claim” (emphasis added; *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); see also MPEP 2131).

Vallstrom and the claimed invention are very different. Applicants understand “Vallstrom to teach an energy efficient object location reporting system. In particular, Vallstrom teaches that a tracking device is operable to update a wireless network of the

position of the tracking device, in response to sensing a cessation of movement of the tracking device. After the wireless network is updated with the position, at least a portion of the tracking device is placed in a reduced power consumption mode of operation ([0010]; [0015]).

In particular, Applicants respectfully assert that Vallstrom does not teach, describe or suggest “identifying a region based on said position; and automatically updating configuration information associated with an application of said mobile access point based on said region,” as claimed (emphasis added). With reference to Figure 2 of Vallstrom, tracking device 10 is able to provide location information to Serving Mobile Location Center (SMLC) 20. However, Applicants do not understand tracking device 10 to identify a region based on the location. Tracking device 10 simply provides location information to SMLC 20.

Furthermore, Applicants do not understand tracking device 10 to update configuration information associated with an application based on an identified region. For one, as described above, Vallstrom does not identify a region. The tracking device of Vallstrom is operable to detect whether movement has ceased, and to go into a reduced power consumption mode. In particular, the power mode switch is made in response to detecting a lack of movement, and is completely independent of the location of the tracking device. Moreover, by teaching that the power mode is independent of the location, Vallstrom teaches away from “automatically updating configuration information associated with an application of said mobile access point based on said region.”

Furthermore, the claimed embodiments recite a mobile access point. A mobile access point is operable to facilitate wireless communications between a distributed computer network and wireless client devices (page 10, lines 9-11). In contrast, Vallstrom teaches a tracking device that is preferably dedicated for tracking, location and position change notification purposes ([0029]). In particular, Applicants respectfully assert that the tracking device of Vallstrom is not operable as a mobile access point, and does not facilitate wireless communications between wireless client devices and a distributed computer network.

Therefore, Applicants respectfully assert that nowhere does Vallstrom teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claims 1, 11, 21 and 31, that these claims overcome the rejection under 35 U.S.C. § 102(e), and are thus in a condition for allowance. Applicants respectfully submit that Vallstrom also does not teach or suggest the additional claimed features of the present invention as recited in Claims 2-10 that depend from independent Claim 1, Claims 12-20 that depend from independent Claim 11, Claims 22-30 that depend from independent Claim 21, and Claims 32-40 that depend from independent Claim 31. Therefore, Applicants respectfully submit that Claims 2-10, 12-20, 22-30 and 32-40 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on allowable base claims.

CONCLUSION

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 1-40 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims. The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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